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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,809	12/04/2003	William A. Skinner	FTI "AG" Div.	4118

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SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 6300
SEATTLE, WA 98104-7092

EXAMINER

OMGBA, ESSAMA

ART UNIT PAPER NUMBER

3726

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/726,809

Applicant(s)

SKINNER ET AL.

Examiner

Essama Omgba

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-14 and 21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 12-14 and 21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/17/04 & 6/3/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: on page 2, line 23, "face-to-fact" should read --face-to-face--.

Appropriate correction is required.

Claim Objections

2. Claims 12-14 and 21 are objected to because of the following informalities: in claim 12, line 20, "the,second" should read --the second--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 12-14 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 12, line 14, the phrase "said axially to place its flange section" is not clear.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 12 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Ganslein (EP 0 891 007).

With regards to claim 12, Ganslein discloses a method comprising providing a work member 9 having a first side and an opposite second side, and a cylindrical through opening that extends between the first and second sides of the work member (figures 2 and 3), providing a first bushing part 2 that has a tubular section 5 and a radial flange section 6 at one end of the tubular section (figure 1) with the outside diameter of the tubular section of the first bushing substantially corresponding to the diameter of the through opening in the work member (figures 2-4), providing a second bushing part 1 that has a tubular section 3 and a radial flange section 4 at one end of the tubular section (figure 1), with the outside diameter of the tubular section of the second bushing part substantially corresponding to the inside diameter of the tubular section of the first bushing part (figures 2 and 3), inserting the tubular section of the first bushing part into the through opening in the work member part axially to place its flange section substantially against the first side of the work member, inserting the tubular section of the second bushing part into the tubular section of the first bushing part from the second side of the work member, and moving the second bushing part axially to place its flange section substantially against the second side of the work member, and radially expanding the tubular sections of the first and second bushing parts an amount sufficient to provide an interference fit of the tubular section of the second bushing part

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in the tubular section of the first bushing part, and a tight interference fit of the tubular section of the first bushing part in the through opening in the work member, such that the first and second bushing parts are connected together and to the work member, see figures 2 and 3 and the English translation provided by Applicant.

For claim 14, see figure 3.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ganslein in view of the Abstract of EP 01202458 (EP'458).

Ganslein disclose a method as shown above. Although Ganslein does not address introducing fatigue life enhancing compressive residual stresses in the work member immediately around the through opening in the work member, however it is known to radially expand tubular sections of bushing parts in a through opening of a work member an amount sufficient to introduce fatigue life enhancing compressive residual stresses in the work member immediately around the through opening in the work member as attested by EP'458. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have radially expanded the tubular sections of the bushing parts of Ganslein an amount sufficient to introduce

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fatigue life enhancing compressive residual stresses in the work member immediately around the through opening in the work member, in light of the teachings of EP'458, in order to achieve the benefits of using such known expansion.

9. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ganslein.

Ganslein discloses a method as shown above except for how to use a puller tool to pull the mandrel through the tubular section of the second bushing part. However it is within the general knowledge of one of ordinary skill in the art to use appropriate pulling tools to pull the mandrel through a bushing tubular section. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have use the proper tool to expand the tubular sections of the bushing parts of Ganslein as is within the general knowledge of one of ordinary skill in the art.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Essama Omgba whose telephone number is (571) 272-4532. The examiner can normally be reached on M-F (10-7:30) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Essama Omgba
Primary Examiner
Art Unit 3726

eo
February 2, 2005